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Appl. Serial No. 10/526,744
Atty. Dkt. No. 053466-0395

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Noboru MAKI et al.
Title: HBV PRECORE PROTEIN HAVING A
PARTICLE-FORMING ABILITY
Appl. No.: 10/526,744
Filing Date: 03/07/2005
Examiner: Unassigned
Art Unit: Unassigned

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and JPO. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language abstract of the foreign-language document has been provided.


Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 25, 2005

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 25, 2005 <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/526,744
				Filing Date	03/07/2005
				First Named Inventor	Noboru MAKI
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	053466-0395
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	PCT	WO 01/40279	A2	Innogenetics N.V.	06/07/2001		
	A2	PCT	WO 02/14871	A1	Advanced Life Science Institute, Inc.	02/21/2002		Abs

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A3	KIMURA, Tatsuji et al., "Sensitive Enzyme Immunoassay for Hepatitis B Virus Core-Related Antigens and Their Correlation to Virus Load", <i>Journal of Clinical Microbiology</i> , February 2002, Vol. 40, No. 2, pgs. 439-435.	
	A4	SAKAMOTO, Y. et al., "Full and Empty Particles of Hepatitis B Virus in Hepatocytes from Patients with HBsAg – Positive Chronic Active Hepatitis", <i>Laboratory Investigation</i> , 1983, Vol. 48, No. 6, pgs. 678-682.	
	A5	TAKAHASHI, K. et al., "Molecular Heterogeneity of e Antigen Polypeptides in Sera From Carriers of Hepatitis B Virus", <i>The Journal of Immunology</i> , November 1991, Vol. 147, no. 9, pgs. 3156-3160.	
	A6	TERRE, S., et al., "Defective Hepatitis B Virus Particles Are Generated by Packaging and Reverse Transcription of Spliced Viral RNAs In Vivo", <i>Journal of Virology</i> , October 1991, Vol. 65, No. 10, pgs. 5539-5543.	

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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